

1 Here, Defendant's motion comes over two years after her sentencing, making Rule 35
2 inapplicable. Further, Defendant is not requesting the Court to correct an error, but instead to
3 make a change. The Court lacks jurisdiction to make such change under either applicable rule
4 of Federal Rule of Criminal Procedure. As such, the Court must deny Defendant's motion.


5 Nevertheless, the Court can make a recommendation for a defendant to be placed in a
6 certain facility or location at the time of sentencing, even though the Court cannot guarantee
7 such recommendation will be followed by the Bureau of Prisons. *See* 18 U.S.C. § 3621(b)
8 ("The Bureau of Prisons shall designate the place of the prisoner's imprisonment . . .
9 considering - . . . (4) any statement by the court that imposed the sentence"). Because the Court
10 initially recommended South Carolina specifically for Defendant to be located near her
11 children, the Court now recommends that the Bureau of Prisons place Defendant near Las
12 Vegas, NV, to be close to her children.

13 Accordingly, the Court recommends that the Bureau of Prisons choose a location for
14 incarceration of Defendant near Las Vegas, NV, so Defendant may be close to her children.

15 **IT IS HEREBY ORDERED** that Defendant's Motion to Amend the Judgment of
16 Conviction (ECF No. 61) is DENIED.

17 The Clerk of the Court shall send a copy of this Order to the Bureau of Prisons and the
18 U.S. Marshal's Office to notify them of the Court's recommended location.

19 **DATED** this 18 day of November, 2015.

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23 Gloria M. Navarro, Chief Judge
24 United States District Judge
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